

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

QUINTERO COMMUNITY
ASSOCIATION, INC., et al.,

Plaintiffs,

v.

HILLCREST BANK, et al.,

Defendants.

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No. 04-11-CV-00893-DGK

ORDER REGARDING DISCOVERY

Pending before the Court is a discovery dispute between the parties regarding the production of documents and answers to interrogatories served by Plaintiffs on Defendant Federal Deposit Insurance Corporation, in its capacity as Receiver for Hillcrest Bank (“FDIC-R”), and Separate Defendants Wheeler, Asner, Blitt, Campbell, J. Fingerish, P. Fingersh, White, Degen, Gervy, Richards, Davies, Lieberman, Forgey, Davis, Holderman, Schwartzkopf, Gallatin, and Schneider (collectively “the Board of Directors”). After receiving written memorandums from each party,¹ the Court conducted a telephone conference with Plaintiffs’ counsel Linus Baker, FDIC-R’s counsel Desarae Harrah, and the Board of Director’s counsel Tom Larson on May 3, 2013 at 10:00 a.m., during which it heard arguments from the parties.

Pursuant to the agreement reached between the parties at today’s discovery teleconference, the FDIC-R is directed to obtain from Midwest Bank all files in its possession, whether in electronic or paper form, relating to the Quintero loan and to provide these documents to Plaintiffs and the Defendant Board of Directors. Additionally, the FDIC-R is directed to compute the cost of opening and extracting information regarding the Quintero loan from the

¹ The Court has considered Docs. 114, 115, 116, and 117.

following files and report that cost to the Court: “HCB-Oct 8.exe,” “File 1 exe,” and “HCB-Oct 1-exe.”

As previously noted, the Court strongly encourages the parties to work together to resolve future disputes without judicial intervention.

IT IS SO ORDERED.

Date: May 6, 2013

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT